

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

UNITED STATES OF AMERICA,	)	CASE NO. 5:19cr11
	)	
Plaintiff,	)	JUDGE DAN AARON POLSTER
	)	
vs.	)	ORDER ACCEPTING PLEA
	)	AGREEMENT, JUDGMENT AND
BRIAN ISABEL VELAZQUEZ-MATA,	)	REFERRAL TO U.S. PROBATION
	)	OFFICE
Defendant(s).	)	
	)	

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge William H. Baughman, Jr., regarding the change of plea hearing of Brian Isael Velzquez-Mata which was referred to the Magistrate Judge with the consent of the parties.

On August 22, 2019, the Government filed a two count Superseding Information, charging Defendant Velzquez-Mata with Delivery of Firearms and Ammunition to Common Carrier without Written Notice for Transportation or Shipment in Interstate Commerce to Unlicensed Person and Illegal Alien in Possession of Firearms and Ammunition, in violation of Titles 18 U.S.C. § 922(e) and 924(a)(1)(d) and 18 U.S.C. § 922(g)(5)(a). Defendant Velazquez-Mata was arraigned on the Superseding Information on August 22, 2019, and entered a plea of guilty to Count 2ss of the Superseding Information. Magistrate Judge William H. Baughman, Jr., received Defendant Velazquez-Mata's plea of guilty to Count 2ss of the Superseding Information and issued a Report and Recommendation ("R&R"), concerning whether the plea should be accepted and finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Brian Isael Velazquez-Mata is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Brian Isael Velazquez-Mata is adjudged guilty of Count 2ss of the Superseding Information, Illegal Alien in Possession of Firearms and Ammunition, in violation of Title 18 U.S.C. § 922(g)(5)(a). This matter was referred to U.S. Pretrial Services and Probation for the completion of a pre-sentence investigation and report. Sentencing will take place on December 3, 2019 at 12:00 p.m. in Courtroom 18B, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, OH.

IT IS SO ORDERED.

*s/Dan Aaron Polster* 9/10/2019  
DAN AARON POLSTER  
UNITED STATES DISTRICT JUDGE